

ORDINANCE NO. 673

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SAN DIMAS AMENDING THE SAN DIMAS ZONING ORDINANCE
(ORDINANCE NO. 37, AS AMENDED) BY ADDING ARTICLE 7
TO CHAPTER 2 THEREOF TO ESTABLISH SPECIFIC PLAN
NO. 1 - THE CREATIVE GROWTH AREA PLAN

THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN
AS FOLLOWS:

SECTION 1. The San Dimas Zoning Ordinance (Ordinance
No. 37, as amended) is hereby amended by adding Article 7 to
Chapter 2 thereof to read as follows:

CHAPTER 2
ARTICLE 7
SPECIFIC PLAN NO. 1
(CREATIVE GROWTH AREA)

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Section 280.00. Purpose. The purpose of the Creative Growth Area Plan is to promote amenities beyond those expected under conventional planning and development, represented by a commitment to a special architectural theme. This theme was expressed by the City Council on August 24, 1970 as 'Early California Village', which represents architectural styles circa 1890's. Developers are required to adopt this theme, in an architecturally creative approach to developing the most marketable and compatible uses possible in this central business district. To implement this plan, specific areas are further defined to integrate compatible uses while maintaining flexibility in commercial investment decisions.

Section 280.01. Specific Plan. The Creative Growth Area Plan (herein "Plan") is an instrument for guiding, coordinating, and regulating the development of property within the area designated on the area map (herein "Area Map") attached hereto and incorporated herein as Exhibit "A". The Plan replaces the usual zoning regulations. It is a "Specific Plan" as authorized in Article 8 of Chapter 3 of the State Planning and Zoning Law. The Plan is consistent with and carries out the projections of the General Plan of the City.

Section 280.02. Review Board. The term "Review Board" or "Board", as used in this Article shall refer to the Development Plan Review Board organized pursuant to Chapter 7, Article XI (Section 795, et. seq.) except that for purposes of performing the duties of Review Board as prescribed by this Article, the regular membership of the Development Plan Review Board shall be increased by adding two special members. These special members shall be

appointed by the City Council; initially for a term that expires June 30, 1980 and thereafter for a two-year term. One of the special members shall be from the business community and the other shall be appointed at large. The special members of the Development Plan Review Board shall have the same powers to participate in the decisions of the Development Plan Review Board as such Board's regular members, but only while the Development Plan Review Board is acting as the Review Board pursuant to this Article. (Amended by Ordinance No. 741, adopted June 9, 1981).

Section 280.03. Plan Review. No person shall construct any building or structure or enlarge or modify any existing building or structure, make any exterior alterations, or use any property in the Creative Growth Area until approval has been obtained from the Review Board.

When, in the public interest, and agreed to by the applicant, the Director of Community Development may consider and grant permits limited to the use of existing buildings including minor exterior alterations. Said use shall be limited by the provisions of this article. In granting said permit, the Director of Community Development shall make a finding that all provisions of this article are met.

Before a building permit is issued for any such building or structure, the Building Department shall insure that:

1. The proposed building is in conformity with the development plan and conditions approved by the Board, and the applicant has signed the file copy of the approved plan, accepting the conditions thereon.
2. All required off-site improvements have been installed or cash bonds have been deposited with the City to cover the cost of improvements.
3. All of the required dedications have been given.

Section 280.04. Applications. Applications shall be made by the property owner or agent on a form prescribed for this purpose by the City.

Except in those cases involving maintenance work or minor alterations, the applicant shall submit six (6) prints of the development plan to the Director of Community Development. Such plan shall be drawn in sufficient detail to illustrate clearly the design for which approval is sought. Such plan shall show the following:

1. Existing conditions, contours, trees and natural features, all structures and uses and improvements, public streets, rights-of-way, and public and/or private easements, and sufficient other information to demonstrate the proposed development.
2. Site plan showing proposed structures, contours, site developments, landscaping and natural features retained, parking and loading facilities, circulations, public rights-of-way, public and/or private easements, and sufficient other information to demonstrate the proposed development.
3. Architectural elevations, colors, signage, lighting, materials, ornamental, pictorial, or decorative material be used in or about the exterior of the structure.
4. Such other information as may be required by the Board to permit reasonable consideration of the application.

Section 280.05. Plan Disposition. Within fifteen (15) days after submission of the development plan, the Board shall approve (with conditions deemed necessary to protect the public health, safety and welfare) or disapprove the development plan. In approving the plan, the Board shall find that:

1. All development standards and provisions of this Article and the Zoning Ordinance are complied with.
2. The architectural character is in conformance with the Early California Village Theme Concept with respect to:
 - a. Size.
 - b. Color.
 - c. Materials.
 - d. Site design and building design.
3. The following elements shall be shown and so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and that there will be no adverse effect on surrounding property:

- a. Buildings, structures, and improvements.
- b. Vehicular ingress, egress and internal circulation.
- c. Setbacks.
- d. Height of buildings.
- e. Service areas.
- f. Walls.
- g. Landscaping.
- h. Such other elements as are found to be relevant to the fulfillment of the purposes of this Zone.

Section 280.06. Appeals. The determination of the Review Board may be appealed to the City Council in accordance with the provisions of Chapter 6, Article 1.

Section 280.07. Dating, Signing, and Mailing of Approved Plans. The applicant shall be notified in writing of the Review Board's action. The applicant shall make all modifications to his development plans to bring them into conformity with the Review Board's requirements and shall submit the revised plans for certification by the Director of Community Development.

Section 280.08. Uses in Specific Plan Areas. Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the permitted and conditionally permitted uses described in each area, plus such other uses as the Director of Community Development determines to be similar and not more obnoxious or detrimental to the public health, safety and welfare, in accordance with the findings set forth in Section 500.03 of Article I, Chapter 5 of the Zoning Ordinance. The determination of the Director may be appealed to the Development Plan Review Board and, thereafter, the City Council, pursuant to Sections 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance. Conditional uses shall be subject to Article 1.5, Chapter 5 of the Zoning Ordinance. All uses shall be subject to the property development standards in Section 280.10 and shall be located only where designated on the Specific Plan Map, as set forth in Exhibit A. All uses and storage shall be conducted within a totally enclosed building with the exception of nursery stock or unless permitted as a conditional use in this Zone by conditional use permit pursuant to Article 1.5, Chapter 5 of the Zoning Ordinance. Uses made non-conforming by the adoption of this Ordinance, or any amendment thereto,

may be continued in accordance with Section 502.36 of Chapter 5, Article 2 of the Zoning Ordinance, provided that there shall be no expansion, or change of an existing use that is non-conforming to another non-conforming use, and that there shall be no expansion, change or alteration of any building or structure that is non-conforming on the subject property.

A. Area 1. Regional Commercial.

Purpose: To take full advantage of excellent freeway access and visibility and to encourage the development of major commercial enterprises, as well as those related to the needs of freeway travelers.

1. Permitted Uses

- a) Any retail, other than auto and truck sales, or service business, which is conducted entirely within a totally enclosed building, provided that no business involving the manufacture, fabrication or wholesaling of goods shall be permitted unless it is related, secondary and incidental to another permitted use and receives prior written approval from the Director of Community Development upon finding that it is not more obnoxious or detrimental to the public health, safety and welfare than any other permitted use. The determination of the Director of Community Development may be appealed to the Development Plan Review Board and, thereafter, the City Council in accordance with Section 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance.
- (b) Major home improvement retail businesses which draw customers from a large region, and groups of small home improvement retail businesses where such businesses do not have regional drawing power.
- (c) Uses which are directly related to the needs of freeway travelers and which are dependent on large traffic volume including, but not limited to, restaurants, department stores, minor commercial uses related, secondary and incidental to an otherwise permitted use, and similar freeway oriented uses which may be approved by the Director of Community

Development upon finding that they are not more obnoxious or detrimental to the public health, safety and welfare than any other permitted uses. The determination of the Director of Community Development may be appealed to the Development Plan Review Board and, thereafter, the City Council in accordance with Sections 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance.

2. Conditional Uses.

- (a) Automobile and truck sales of new vehicles only.
- (b) Gasoline service stations in areas designated on the Specific Plan, Exhibit "A".
- (c) Theaters -- walk-in/indoor only.
- (d) Hotel or motel.
- (e) On or off-sale alcoholic beverages, provided that such use is incidental and ancillary to another permitted use.
- (f) Fast-food restaurant park, including drive-through service, provided that such Fast-Food Restaurant Park includes at least two fast-food restaurants.
- (g) Regional scale office uses, such as corporate headquarters, where designated on the Specific Plan, Exhibit "A".
- (h) Office Uses other than regional scale office uses, provided that such uses are developed together with a permitted retail use or uses and provided that the total gross floor area devoted to office uses does not exceed 50% of the gross floor area of the entire development in which office uses are provided. Required parking spaces shall be calculated by adding the total number of parking spaces required for each type of use on the subject lot or parcel, in accordance with Ordinance No. 269, as amended.
- (i) Mass transit facilities, such as bus and train stations.

3. Prohibited Uses.

- (a) Supermarkets.
- (b) Adult bookstores, adult theatres, and similar uses.
- (c) Industrial uses.
- (d) Gambling facilities.
- (e) Residential uses.
- (f) Wholesaling or warehousing operations.
- (g) Convenience markets.
- (h) Billboards and other similar off-site outdoor advertising structures.
- (i) Game arcades consisting of four (4) or more coin or token operated games of skill.
- (j) Other uses determined to be inconsistent with the intent and provisions of this Area 1, as determined by the Director of Community Development, in accordance with Section 500.03 of Article I, Chapter 5, of the Zoning Ordinance. The determination of the Director of Community Development may be appealed to the Development Plan Review Board and, thereafter, the City Council in accordance with Sections 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance.

B. Area 2. Frontier Village.

Purpose: To provide for neighborhood commercial uses, specialty commercial uses and other convenience goods and service businesses which service the day-to-day living needs of nearby neighborhoods or a larger section of the City. In addition, it is recognized that certain parcels east of the Puddingstone Shopping Center may be suitable for a medium-high density residential development, including apartments, townhouses or condominiums.

1. Permitted Uses.

- (a) Convenience goods and service businesses, including food markets, pharmacies, ~~liquor stores~~ **liquor**, barber or beauty shops, cleaners and laundries, small appliance repair businesses and similar uses.

- (b) Eating places, including take-out service businesses, but not including drive-in or drive-through service facilities, provided that eating places shall not be permitted where the number of required parking spaces for this use, pursuant to Ordinance No. 269, as amended, exceeds thirty-five (35) percent of the number of common parking spaces provided in any shopping center or development in which such eating places are located.
- (c) Specialty commercial uses, such as antique shops, jewelry stores, music stores, auto and truck parts and supply businesses, and similar uses.
- (d) Professional, administrative and sales office uses, provided that such uses are not located on the ground floor of any structure unless approved by the Development Plan Review Board upon making the findings set forth in Section 500.03 of Article I, Chapter 5 of the Zoning Ordinance. The determination of the Development Plan Review Board may be appealed to the City Council, in accordance with Sections 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance.
- (e) A maximum of three (3) coin or token operated games of skill, provided that such games are incidental and secondary to another permitted use in this Area 2.

2. Conditional Uses.

- (a) On-sale alcoholic beverages, provided that such use is incidental and secondary to another permitted use in this Area 2.
- (b) Off-sale alcoholic beverages.
- (c) Gasoline service station, but only where such use is designated on the Specific Plan, Exhibit "A".
- (d) Automobile tire sales and service.
- (e) Automotive repair.

- (f) Outdoor sale, storage or display of merchandise and/or provision of services, provided that such uses are in conjunction with and are related to a permitted use within a structure on the same lot or parcel, unless otherwise permitted in accordance with Ordinance No. 305, "Temporary Uses."
- (g) Medium-high density residential uses, including apartments, townhouses and condominiums, provided that these are located only in areas so designated on the Specific Plan, Exhibit "A".
- (h) Motorcycle sales and services.
- (i) Athletics clubs and performing arts studios.
- (j) Mass transit facilities, including bus and train stations.

3. Prohibited Uses.

- (a) Drive-through style eating places and those uses prohibited in Area 1, other than supermarkets, residential uses and convenience markets.

C. Area 3. General Commercial.

Purpose: To provide an attractively developed transition corridor between Area 2 and the residential townhouse and condominium uses immediately south of the existing Southern Pacific Railroad line. Both commercial and medium-high density residential uses are considered appropriate to provide consistency with the General Plan and to provide support businesses and patrons for existing and future businesses in this area.

1. Permitted Uses.

- (a) Retail businesses, other than automobile, truck, boat and recreational vehicle sales and services, which provide for retail sales of only unused products, provided that they are located entirely within an enclosed building.
- (b) Service businesses.
- (c) Eating places, including take-out service, but not including drive-through or drive-in facilities.

- (d) A maximum of three (3) coin or token operated games of skill provided that such games are incidental and secondary to another permitted use in this Area 3.

2. Conditional Uses.

- (a) Gasoline service stations, provided that they are located only where indicated on the Specific Plan, Exhibit "A".
- (b) Medium-high density residential uses, including apartments, townhouses and condominiums, as well as single-family detached dwelling units.
- (c) On-sale alcoholic beverages, provided that this use is secondary and incidental to an otherwise permitted use in this Area 3.
- (d) Off-sale alcoholic beverages.
- (e) Automobile, truck, boat and recreational vehicle sales and services.
- (f) Outdoor sale, storage or display of merchandise and/or provision of services, provided that these uses are in conjunction with and are related to a permitted use within a building located on the same lot or parcel, except as otherwise permitted in accordance with Ordinance No. 305, "Temporary Uses."
- (g) Indoor recreational uses including, but not limited to, bowling alleys, skating rinks, health clubs, racket clubs, and similar uses.
- (h) Wholesale businesses.

3. Prohibited Uses.

- (a) Those uses prohibited in Area 2.

D. Area 4. Commercial/Light-Industrial.

Purpose: To provide for light-industrial and general commercial uses.

1. Permitted Uses.

- (a) All uses permitted in the M-1 Zone.
- (b) Retail and service businesses.
- (c) Other similar uses determined by the Director of Community Development to be similar and not more obnoxious or detrimental to the public health, safety and welfare, in accordance with findings set forth in Section 500.3 of Article I, Chapter 5 of the Zoning Ordinance. The determination of the Director of Community Development may be appealed to the Development Plan Review Board and, thereafter, the City Council in accordance with Section 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance.

2. Conditional Uses.

- (a) All uses listed as Conditional Uses in the M-1 Zone.
- (b) Theaters, provided that they are walk-in, indoor.

3. Prohibited Uses.

- (a) Adult bookstores, adult theaters, and similar uses.
- (b) Gambling facilities.
- (c) Residential uses.
- (d) Convenience markets.
- (e) Food markets.
- (f) Office uses which are not incidental to a Permitted or Conditionally Permitted Use.
- (g) Billboards and other similar off-site outdoor advertising structures.
- (h) Game arcades consisting of four (4) or more coin or token-operated games of skill.

- (i) Other uses inconsistent with the intent and provisions of this zone, as determined by the Director of Community Development, in accordance with Section 500.03 of Article I, Chapter 5 of the Zoning Ordinance. The determination of the Director of Community Development may be appealed to the Development Plan Review Board and, thereafter, the City Council in accordance with Sections 500.0, et seq., of Article I, Chapter 5 of the Zoning Ordinance.

Section 280.10. Property Development Standards. The following property development standards shall apply to all land and buildings in the Creative Growth Area, except that any lot held under separate ownership or of record on the effective date of this Article which is substandard in dimensions may be used subject to all other standards.

1. Lot Area

No provisions.

2. Lot Dimensions

No provisions.

3. Building Height

- a. No building or structure erected in this zone shall exceed two stories in height except by conditional use permit.

- b. Exceptions: Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys, and other similar structures may be erected above the height limits herein prescribed, provided such structures are compatible with the architectural design of the building and the surroundings.

Air conditioning units, electrical switch gear and panels, compressors, and similar mechanical and electrical equipment shall be enclosed within an enclosure compatible with the architectural design of the building.

4. Yards

Yards shall be measured perpendicular to the property line. When the Creative Growth Overlay Zone abuts a residential zone, there shall be a yard of not less than ten (10) feet.

Required yards shall be landscaped and maintained; a complete automatic sprinkler system shall be provided. Yards shall be provided as designated in Exhibit "B".

5. Walls

Masonry walls six (6) feet in height shall be erected on the zone boundary line between the Creative Growth Zone and any residential zone.

6. Off-Street Parking

The provisions of Article III, Chapter 7 shall apply.

7. Utilities

All utilities provided to serve new buildings or to serve existing buildings undergoing alterations requiring change-out of service shall be installed underground.

8. Trash Storage

A City of San Dimas standard trash storage area shall be provided in an appropriate location, convenient to users.

9. Signs

- a. The provisions of Article IX, Chapter 7 shall apply.
- b. No person shall construct, place, erect or maintain any sign in the Creative Growth Zone without a permit approved by the Review Board.
- c. All signs shall be constructed of natural or simulated natural materials.
- d. The Review Board in approving a sign permit shall find that the proposed sign is in conformance with the Early California Village Theme and good design principles with respect to:

- (1) Height.
- (2) Location.
- (3) Size.
- (4) Color.
- (5) Materials.
- (6) Lighting.
- (7) Compatibility to structure it is identifying.

10. Lighting

- a. All exposed lighting fixtures shall be decorative and in keeping with the Early California Village Theme.
- b. Lighting shall be designed to reflect away from adjoining properties, streets, and roads.

11. Landscaping

Review Board may require landscaping in addition to required yards as follows:

- a. Buffering adjoining properties.
- b. Complementing building designs in and adjoining parking lots.

SECTION 2. Within fifteen (15) days after its passage, the City Clerk shall cause it to be published in the San Dimas Press, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED and ADOPTED this 10th day of July, 1979, by the following vote:

AYES: Councilman Aleks, Clark, Dipple, Wax, Ersher
NOES: None
ABSTAIN: None
ABSENT: None

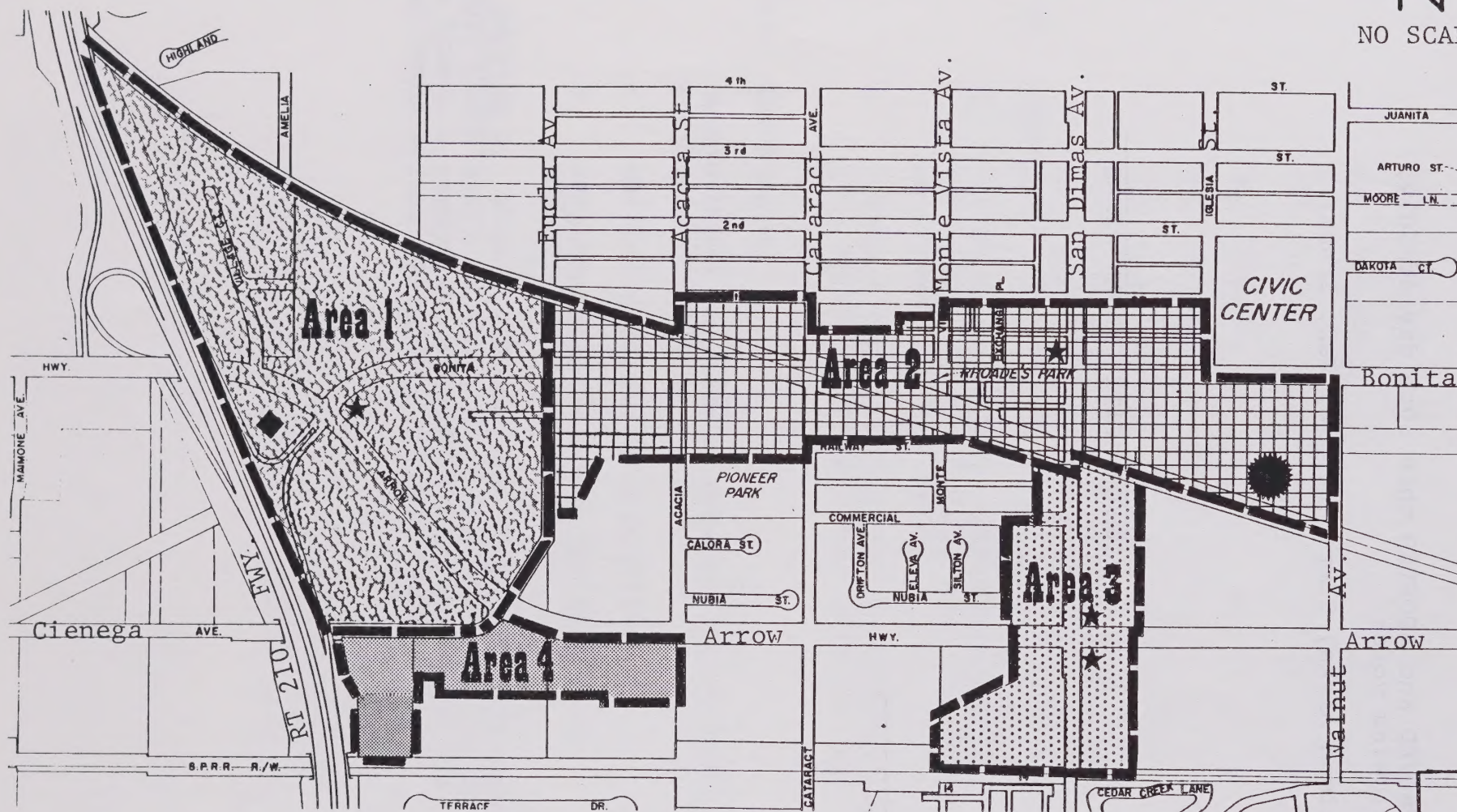
/s/
MAYOR, CITY OF SAN DIMAS

ATTEST:

CITY CLERK

EXHIBIT A

Creative Growth Zone



★ Service Station

● Med-Hi Density Residential

◆ Regional Scale Offices

Area 1 - Regional Commercial

Area 2 - Frontier Village

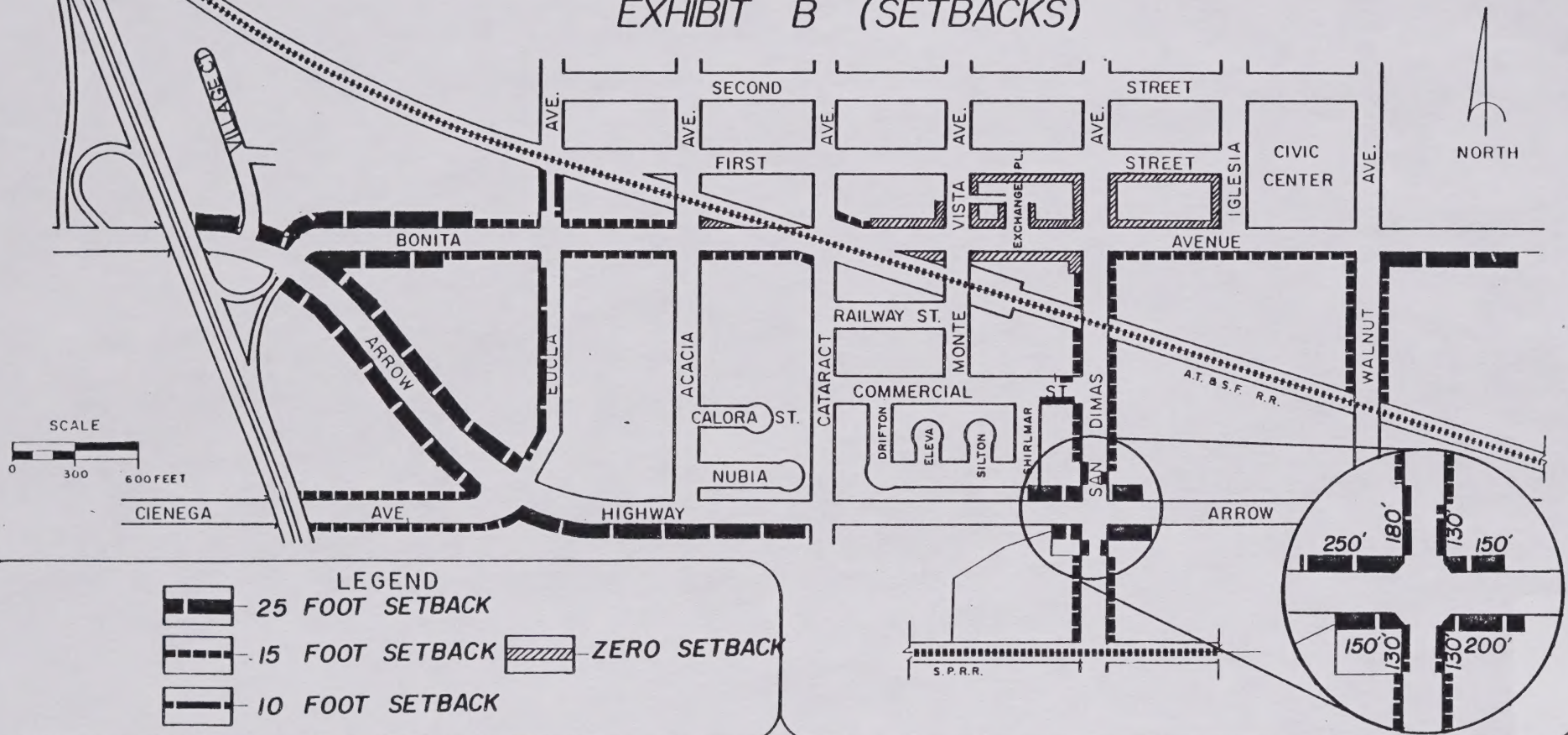
Area 3 - General Commercial

Area 4 - Commercial/Light Industrial

CREATIVE GROWTH AREA

SPECIFIC PLAN NO. 1 (as amended)

EXHIBIT B (SETBACKS)





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Charles Smith 2009

